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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91187847
Party	Defendant Christine Machleit, and Matilda Beeler
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Date	04/15/2010
Attachments	4-15-2010_Notice of Termination of Settlement Negotiations.pdf (3 pages) (20863 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK AND TRIAL APPEAL BOARD

THE SUSAN G. KOMEN BREAST
CANCER FOUNDATION, INC.,

Opposer,

v.

CHRISTINE MACHLEIT AND
MATILDA BEELER,

Applicants.

Opposition No. 91187847

Serial No. 77/136451

Mark: **TIME FOR A CURE**

Filed: March 21, 2007

Published: August 5, 2008

NOTICE RE: TERMINATION OF SETTLEMENT NEGOTIATIONS

On February 2, 2010, Christine Machleit and Matilda Beeler (“Applicants”) and the Susan G. Komen Breast Cancer Foundation (“Opposer”) filed with the Board a stipulation requesting a suspension of Opposer’s motion for sanctions to permit the parties to engage in settlement negotiations. On March 26, 2010, the parties filed another stipulation requesting that the stay be extended to May 1, 2010, pending continued settlement negotiations.

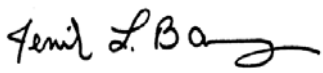
While pursuing settlement, Applicants served Opposer with Amended and Supplemental Initial Disclosures, as well as Amended and Supplemental Responses to Opposer’s First Sets of Interrogatories, Requests for Admission, and Requests for Production. Applicants also produced more than 2,000 pages of documents to Opposer on February 26, 2010.

Settlement negotiations between the parties have ended unsuccessfully. Consequently, Applicants respectfully request that the Board lift the suspension and proceed with ruling on Opposer’s motion for sanctions. Applicants ask the Board to consider the fact that, since retaining counsel, all lingering discovery obligations have been met, rendering the underlying issue in Opposer’s motion for sanctions moot.

Dated: April 15, 2010

Respectfully Submitted,

LATHAM & WATKINS LLP

By: 

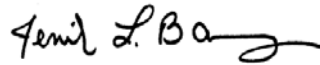
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CHRISTINE MACHLEIT AND
MATILDA BEELER

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE RE: TERMINATION OF SETTLEMENT NEGOTIATIONS** has been served on Opposer's Attorney/Correspondent of Record by mailing said copy on April 15, 2010 via First Class Mail, postage prepaid to:

Dace A. Caldwell
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Jennifer L. Barry